

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
(Eastern Division)**

KPM ANALYTICS NORTH AMERICA
CORPORATION,

Plaintiff,

v.

BLUE SUN SCIENTIFIC, LLC; THE
INNOVATIVE TECHNOLOGIES GROUP & CO.,
LTD; ARNOLD EILERT; MICHELLE GAJEWSKI;
ROBERT GAJEWSKI; RACHAEL GLENISTER;
GREGORY ISRAELSON; IRVIN LUCAS; and
PHILIP OSSOWSKI,

Defendants.

Civil Action No. 4:21-cv-10572-MRG

**DEFENDANTS BLUE SUN SCIENTIFIC, LLC AND THE INNOVATIVE
TECHNOLOGIES GROUP & CO., LTD'S ASSENTED TO MOTION TO IMPOUND
AND FOR LEAVE TO FILE MOTION *IN LIMINE* UNDER SEAL**

Defendants Blue Sun Scientific, LLC and The Innovative Technologies Group & Co.
("ITG") hereby file this Assented to Motion to Seal Motion *In Limine*, and in support state:

1. Defendants intend to file a Motion *in Limine* Seeking Exclusion of Certain Evidence Regarding Damages in accordance with the Court's scheduling orders in this case. Defendants intend to include information in both the supporting legal memorandum and as attachments material that has been designated by the parties as Confidential and High Confidential Attorneys' Eyes Only pursuant to the Stipulated Protective Order in this case (ECF No. 59).

2. The Stipulated Protective Order in this matter provides that "Without written permission from the Designating Party or a court order secured after appropriate notice to all interested persons, a Party may not file in the public record in this action any Protected Material

but may file Protected Material under seal in accordance with the rules of the Court.” Protected Material includes material designated confidential and highly confidential.

3. No party has agreed to remove the confidential and highly confidential designations for material that Defendants intend to include and reference in its motion.

4. Defendants have conferred with counsel for Plaintiff, who has assented to the relief requested in this motion

WHEREFORE, Defendants Blue Sun Scientific, LLC and The Innovative Technologies Group & Co. hereby request that this Court allow the Defendants to file under seal their Motion *in Limine* Seeking Exclusion of Certain Evidence Regarding Damages in this case.

Dated: April 25, 2023

THE INNOVATIVE TECHNOLOGIES
GROUP & CO., LTD.

/s/ Maria T. Davis

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CERTIFICATE OF SERVICE

I hereby certify that, on April 25, 2023, this document was sent electronically to the registered participants as identified on the Notice of Electronic Filing. Paper copies will be sent to those indicated as non-registered participants.

/s/ George F. Ritchie

George F. Ritchie